THE HON'BLE MR JUSTICE J.CHELAMESWAR
AND
THE HON'BLE MR JUSTICE M. VENKATESWARA REDDY

WRIT PETITION No: 8221 of 2006

Date: 24.04.2006

Between:

P. Mohamad Khan

… Petitioner.

AND

The Chief Post Master General, A.P. Circle,
Hyderabad, A.P. & another.

… Respondents.

THE HON'BLE MR JUSTICE J.CHELAMESWAR
AND
THE HON'BLE MR JUSTICE M. VENKATESWARA REDDY

WRIT PETITION No.8221 of 2005

ORDER:- (PER THE HON'BLE SRI JUSTICE M.VENKATESWARA REDDY)

Questioning the order, dated 11.08.2005, made in O.A.No.655 of 2005 on its file by the Central Administrative Tribunal, Hyderabad, Hyderabad Bench, the present writ petition is filed.

The petitioner's father, one Fakruddin, while working as jeep driver in the office of the 2nd respondent died on 22.10.1989 leaving behind his parents, wife and two sons including the petitioner and one daughter. The Office of the Superintendent of Post Offices by a communication dated 17.11.1989 asked the wife of the deceased to submit her application with requisite qualification certificates in case she was willing for appointment, and in case, she wanted her son to be appointed in relaxation of normal recruitment rules, she has to wait till her son attained majority.

The petitioner herein submitted the application two years after he attained the majority, and after the limitation period was over. The Supreme Court in ***UMESH KUMAR NAGPAL v. STATE OF HARYANA & OTHERS***[1] took the view that the compassionate appointment cannot be made after a lapse of reasonable period, which

must be specified in the rules and it is not a vested right, which can be exercised at any point of time.

We have gone through the abovementioned judgment. Relying upon the said judgment, the Central Administrative Tribunal dismissed the O.A. filed by the petitioner. The reasons given by the Central Administrative Tribunal following the decision of the Supreme Court referred to above are very apt and the Tribunal rightly dismissed the O.A.

In the circumstances, we do not find any valid reasons to interfere with the order of the Tribunal and the writ petition is liable to be dismissed.

Accordingly, the writ petition is dismissed at the admission stage. No order as to costs.

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J.CHELAMESWAR, J

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M. VENKATESWARA REDDY, J

Date: 24.04.2006
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[1] 1994 SCC (L&S) 930